

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MORYE COOLEY,

Case No. 24-cv-02457 (LMP/ECW)

Plaintiff,

v.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

ACH and SUMMIT,

Defendants.

Before the Court is the Report and Recommendation (“R&R”), ECF No. 31, of United States Magistrate Judge Elizabeth Cowan Wright, which recommends granting Plaintiff Morye Cooley’s request to dismiss his claims against Defendant Advanced Correctional Healthcare (“ACH”), ECF No. 23, without prejudice. Prior to the issuance of the R&R, Defendant ACH advised the Court that it did not oppose Plaintiff Cooley’s request to dismiss ACH from the lawsuit. ECF No. 26. No objections have been filed to the R&R in the time permitted, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam).

Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The R&R (ECF No. 31) is **ADOPTED**;

2. The Amended Complaint (ECF No. 4) is **DISMISSED WITHOUT PREJUDICE** as to ACH.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 4, 2025

s/Laura M. Provinzino

Laura M. Provinzino
United States District Judge